

**From:** [Slavin, Denise \(EOIR\)](#)  
**To:** [All of Judges \(EOIR\)](#)  
**Cc:** [Slavin, Denise \(EOIR\)](#); [Tabaddor, A. Ashley \(EOIR\)](#)  
**Subject:** NAIJ undate on CR  
**Date:** Friday, January 19, 2018 11:17:49 AM

---

Dear Judges:

On behalf of Judge A. Ashley Tabaddor, NAIJ President, I am writing to give you the latest information available to the NAIJ about a possible continuing resolution or shutdown.

The IFPTE, our parent union, advises us that the House did end up passing the CR by a vote of 230-197. However, the Senate does not have the necessary 60 votes to overcome a filibuster and ultimately pass the bill. The Senate was scheduled to vote on the bill last night, but given that they don't have necessary votes, the bill was ultimately pulled.

There are two items related to this that IFPTE flagged. First, there was a proposal put forth by Democratic Leader Schumer and other Democrats to do another very short-term CR (could be anywhere from 2-6 days) so that negotiators could come to a final long-term deal. Majority Leader McConnell seemed to push back on that idea last night, but it is a proposal that is still out there. Second, the second tier leadership from both sides (particularly House members Hoyer and McCarthy and Senators Durbin and Cornyn) are negotiating with the White House to come to an agreement on the outstanding issues, most especially the DACA and border security issue that could be a path to getting a CR done. These negotiators from both sides said last night and this morning that those talks are going well, and the people involved in them are serious legislators who legitimately want to reach an agreement, so that is a positive sign.

IFPTE advised that they would recommend that we and our members prepare to see the government shutdown.

IFPTE advised that they fully realize that this is not good news and this creates a stressful situation for us and our members, and reiterate that IFPTE and other unions will work in support of passage of legislation ensuring that everyone gets paid in the event of a shutdown.

The last we heard from EOIR about a possible shutdown was in December, when they answered our inquiries by referring us to links to (1) the Department's FY 2018 Contingency Plan and (2) OPM's website with information regarding shutdown furloughs:

<https://www.justice.gov/jmd/page/file/1015676/download>

<https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough>

They also advised that the DOJ Contingency Plan provides that during a lapse in appropriations, EOIR will continue to process all cases involving detained aliens.

The email for the Los Angeles court apparently is down at this time, but if you have any questions please feel free to reach out to the NAIJ Board.

Denise Slavin, President Emeritus  
NAIJ